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DEC 27 2017

CLERK U.S. BANKRUPTCY COURT  
Central District of California  
BY hawkinso DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
RIVERSIDE DIVISION

In re:

Jorge Serrato,

Debtor.

Case No.: 6:15-bk-18945-MJ

Chapter: 13

**MEMORANDUM DECISION RE OBJECTION TO  
PROOF OF CLAIM 1-2 OF MORENO VALLEY  
RANCH COMMUNITY ASSOCIATION**

Date: December 18, 2017  
Time: 1:30 p.m.  
Location: Courtroom 301  
3420 Twelfth Street  
Riverside, CA 92501

BACKGROUND

Debtor Jorge Serrano (debtor) filed an objection to proof of claim 1-2 (claim) filed by Moreno Valley Ranch Community Association (Association) on May 30, 2017. This claim amended claim 1-1, filed by the Association in the sum of \$17,933.19, which is being paid as a secured claim in debtor's confirmed Chapter 13 Plan. The amendment added post-petition attorney's fees and costs totaling \$2626.71 to the claim. Debtor's objection argued that the attorney for the Association was "doing nothing more than every creditor routinely does

1 in a Chapter 13 case; namely 'processing payments from the trustee,  
2 periodically reviewing the Court docket and updating the client each  
3 month.'" Debtor asserted that because he was current on his post-  
4 petition payments to the Association and his plan payments to the  
5 Trustee, there was no need for additional work on behalf of the  
6 Association.

7 The Association responded to the objection, arguing that as an  
8 oversecured creditor, it was entitled to recover attorney's fees and  
9 costs under 11 U.S.C. § 506(b) as part of its secured claim. Under  
10 the provisions of the Covenants, Conditions and Restrictions (CC&R's),  
11 to which debtor is bound, and California Civil Code §5650(b)(1), the  
12 Association is entitled to add to the debt owed by debtor reasonable  
13 fees and costs of collection and reasonable attorney's fees.  
14 Therefore, it asserted the additional fees and costs were  
appropriately included in the claim.

15 At the initial hearing on the objection on October 30, 2017, the  
16 court noted that the Association's response did not include the  
17 itemized billing records from the law firm representing the  
18 Association for the attorney's fees added to the claim. The hearing  
19 was therefore continued to allow the Association to file those billing  
20 records, which were filed on November 14, 2017. After argument at the  
21 continued hearing, the court took the matter under submission. This  
22 memorandum shall constitute the court's findings of fact and  
23 conclusions of law under the provisions of FRBP 7052 and its ruling on  
the claim objection.

24 ANALYSIS

25 The initial claim filed by the Association prior to plan  
26 confirmation in the amount of \$17,933.19 included unpaid assessments  
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1 of \$4043.78, late charges, interest, and collection costs of \$3477.63  
2 and attorney's fees and costs of \$7400.31. As noted in an objection  
3 to confirmation filed by the Association (Docket #9), debtor had not  
4 paid his regular monthly assessments for more than 4 years, which  
5 delinquency caused the Association to incur collection costs and  
6 attorney's fees which more than quadrupled the amount of the debt owed  
7 by debtor. Despite these startling numbers, debtor did not object to  
8 Claim 1-1, perhaps because he understood the serious nature of his  
9 delinquency and the rights and protections for homeowner's  
10 associations which are embedded in both the California statutes and  
11 recorded CC&R's. .

12 It is not unique for this court to review a claim from a  
13 homeowner's association in which the amount of unpaid assessments are  
14 dwarfed by the fees and costs which are added to the bill.  
15 Homeowner's Associations (HOA's) are unique creditors in that they are  
16 not lenders or sellers of product, but are rather nonprofit  
17 organizations which provided common services and amenities to a  
18 housing development at a cost which must be borne by all property  
19 owners in the development. Tightly regulated by statute and run by an  
20 elected board of directors, an HOA must establish annually a budget  
21 for the allowable expenses it must pay and then assess all homeowners  
22 equally to pay the costs entailed in the budget. If a homeowner  
23 defaults and the default remains unpaid despite collection efforts of  
24 an HOA<sup>1</sup>, those unpaid sums must eventually be redistributed among all  
25 the remaining homeowners, who in essence are economically damaged when  
26 a neighbor reneges on his obligation to pay assessments. The  
27 California statutes recognize that any costs borne by an association

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28 <sup>1</sup> The methods for filing liens and collecting delinquent payments are set  
forth in Cal Civil Code §§ 5600 et seq. and are extensive.

1 in collecting delinquent assessment must be paid by the defaulting  
2 homeowner to minimize the impact of such default on the rest of the  
3 neighborhood. As a result, the right to add such costs to the debt is  
4 broadly written:

5 Cal. Civil Code §5650:

6 (a) A regular of special assessment and any late charges,  
7 reasonable fees and costs of collection, reasonable  
8 attorney's fees, if any, and interest, if any, as  
determined in accordance with subdivision (b), shall  
be a debtor of the owner.

9 Subdivision (b) allows an association to recover upon delinquency "(1)  
10 Reasonable costs incurred in collecting the delinquent assessment,  
11 including reasonable attorney's fees." It is noteworthy that the  
12 statute allows addition of both collection costs and attorney's fees  
13 to the debt. Section 5720, which provides that an association may not  
14 foreclose a lien for assessment amounts less than \$1800, excludes from  
15 that lien-threshold limit "fees and costs of collection and attorney's  
16 fees", reinforcing the right of an association to recover those sums  
from a delinquent homeowner.

17 The CC&R's of the Association at Section 4.8 also include in any  
18 lien or judgment to which the Association is entitled both costs and  
19 reasonable attorney's fees.

20 Because debtor did not object to the substantial collection costs  
21 and attorney's fees included in the initial claim, the court assumes  
22 he acknowledges the Association's right to those collection costs and  
23 fees as part of its secured claim. His argument here, not couched as  
24 an allowable objection under § 502 (b) but presumably based on the  
25 argument that the claim is unenforceable against the debtor under  
state law<sup>2</sup>, is that since debtor is post-petition current the

26 <sup>2</sup> The only part of § 502(b) which seems to apply is (1): "such claim is  
27 unenforceable against the debtor and property of the debtor under any

1 collection costs and fees are not reasonable. Therefore, this court's  
2 analysis turns on two factors: (1) both collection costs and  
3 attorney's fees may be added to the claim and (2) such costs and fees  
4 must be reasonable. Only the second factor is truly in dispute.

5 At the continued hearing, the court presented the parties with a  
6 tentative ruling which consisted of a marked up copy of the billing  
7 records. The court had tentatively determined that many of the time  
8 entries on the billings were not attorney's fees, but rather were  
9 clerical or bookkeeping work whereby the law firm was receiving and  
10 accounting for the payments made by the debtor and Trustee. The court  
11 reasoned that the Association or its management firm could easily have  
12 done such accounting once the law firm had instructed them how to  
13 separately account for the direct payments versus the Trustee payments  
14 on the arrearage. In response to this analysis, counsel for the  
15 Association argued<sup>3</sup> that once a delinquent assessment was sent to her  
16 law firm for litigation, it remained there for collection purposes  
17 during a Chapter 13. Thus, she argued that the entries were proper  
18 attorney billing charges; however, if not, then they were costs of  
19 collection that were recoverable under the statute. In light of the  
20 breadth of recovery allowed by the statute, the court determined to  
21 reconsider what entries in the billings should be allowed as  
22 reasonable, either as collection costs or attorney's fees.

22 Debtor continued to argue that none of the fees should be allowed  
23 because he had remained current post petition and other creditors did

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24 agreement or applicable law for a reason other than because such claim is  
25 contingent or unmatured."

26 <sup>3</sup> There was no evidence in the record to support this argument, but since it  
27 was an issue raised solely by the court, the Association had not perceived a  
28 need to provide a declaration to support the argument. The court has  
considered the argument as an offer of proof and assumed counsel could have  
described the collection procedures under oath if given the opportunity.

1 not supplement their claims with this type of collection charge. He  
2 also suggested that equity should balance in favor of the Chapter 13  
3 debtor, who was diligently trying to repay his debt as allowed by law.  
4 The court rejects both arguments. First, the fact that other  
5 creditors did not include such fees bears no weight because other  
6 creditors are not HOA's, which must recoup all the additional costs  
7 caused by the defaulting homeowner from the debtor. Additionally,  
8 many other creditors would not have the statutory right to collect  
9 costs of collection in addition to attorney's fees. Second, the  
10 equities do not balance in favor of the debtor, if equity comes into  
11 play at all.<sup>4</sup> The debtor here did not bother to pay relatively minimal  
12 assessments for more than 4 years, causing a burden on the Association  
13 and his neighbors while receiving many of the benefits that those  
14 assessments paid for.<sup>5</sup> That he filed a Chapter 13 to stop a  
15 foreclosure by the Association was not noble, but rather a usage of  
16 the automatic stay to keep his home.

17 With this backdrop, the court has reanalyzed the billings and  
18 allowed some of the entries as reasonable costs of collection and/or  
19 attorney's fees. The annotated billings are attached to this  
20 memorandum as Exhibit A. This annotated billing shows a total  
21 supplement to the claim of \$2105 based on the billing entries and  
22 \$80.62 as costs on the billings, for a total of \$2185.62.<sup>6</sup> The court  
23 made adjustments as follows: (a) the attachment to the supplemental

<sup>4</sup> Usually, equity is not a consideration on a claim objection, as claims are allowed based on legal principles.

<sup>5</sup> The court recognizes that debtor has been barred from using certain amenities. But most association assessments cover more than amenities, including standard services like streets cleaning and street lights and other daily maintenance.

<sup>6</sup> The billings provided are somewhat of a puzzlement. The fees on the billing total \$3330.50, which with the costs would total \$3411.12. Yet the additional claim was only for \$2626.71. The Association did not explain this discrepancy.

1 claim at paragraph 10 broke out how the law firm bills the  
2 Association. Included in the charges was \$45.00 for clerical  
3 assistants. The court determines that the reasonable charge for the  
4 bookkeeping services, once the methodology was set up, should be  
5 clerical time, not paralegal time. Those adjustments are shown on the  
6 billing as the \$4.50 and \$9.00 charges; (b) Some of the time is  
7 normally included in overhead, as part of the hourly rate which covers  
8 administrative costs of running a law office. For example, filling  
9 out the form to put money in a trust account is not billable time, nor  
10 is filing a document electronically. The court has marked those  
11 entries with an "O" and disregarded them; (c) a periodic status report  
12 to the client might be reasonable, but not monthly when no default has  
13 occurred. Many of the status report entries have been deleted; and  
14 (d) on some letters both the paralegal and the attorney have drafted  
15 and edited. For such simple, non-legal matters one billing personnel  
16 is all that is needed. On the other hand, the court has allowed most  
17 of the attorney time for setting up the accounting, communicating with  
18 the client, responding to debtor inquiries, and defending the claim.

18 The court will prepare an order in accordance with this ruling.

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25 Date: December 27, 2017

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Meredith A. Jury  
United States Bankruptcy Judge

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# Exhibit A

Matter Ledger Report

9/15/2015 to 11/13/2017

C = clerical at \$45/Hr.

Code	Name	Init Atty	EAM	Erin A. Maloney
Client	62976	Bill Atty	EAM	Erin A. Maloney
Matter	0340	Resp Atty	PER	Peter E. Racobs
MORENO VALLEY RANCH COMMUNITY ASSOC. Serrato Assessment Collection Acct# Mo-VAL 0830-02				

Billed Time							Admin. or O = overhead (Non-billable)	
Code	Name	Date	Code	Hours	\$ Value	Task	Ref #	Text
EAM	Erin A. Maloney	09/16/15	B	0.40	86.00		KL7800	Telephone call from debtor's attorney; will amend plan to provide for full amount of claim with interest; confirm same via email
EAM	Erin A. Maloney	09/22/15	B	0.20	43.00		KN1245	Review file and prepare status report to client
MRPI	Megan R. Pinon	10/05/15	B	0.10	10.50	4.50	KN5790	Receive and process partial payment from debtor for post-petition debt; forward to trust for processing.
EAM	Erin A. Maloney	10/13/15	B	0.10	43.00		KP2955	Execute trust form to deposit partial payment received
EAM	Erin A. Maloney	10/20/15	B	0.20	43.00		KQ9951	Review file and prepare status report to client
EAM	Erin A. Maloney	10/21/15	B	0.20	43.00		KQ0202	Check docket for results of confirmation hearing; not yet posted
MRPI	Megan R. Pinon	10/27/15	B	0.10	10.50		KR0479	Receive phone call from debtor to discuss the use of the Association facilities. Told Mr. Serrato that we cannot discuss his account with him without his attorneys authorization to do so. Prepare memo to file.
EAM	Erin A. Maloney	11/11/15	B	0.10	43.00		KT0271	Execute trust form to deposit partial payment received
EAM	Erin A. Maloney	11/21/15	B	0.20	43.00		KU4794	Check docket; download order confirming plan
EAM	Erin A. Maloney	11/21/15	B	0.20	43.00		KU4795	Review file and prepare status report to client
MRPI	Megan R. Pinon	12/02/15	B	0.20	21.00	9.00	KU8933	Receive and process partial payment from debtor for post-petition debt, update accounting of debt to reflect same.
EAM	Erin A. Maloney	12/11/15	B	0.10	21.50		KW9013	Execute trust form to deposit post-petition payment received
MRPI	Megan R. Pinon	01/05/16	B	0.10	10.50	4.50	KY3014	Receive and process partial payment for post-petition; forward to trust for processing
EAM	Erin A. Maloney	01/06/16	B	0.10	21.50		KY4105	Execute trust form to deposit partial payment received
MRPI	Megan R. Pinon	01/12/16	B	0.20	21.00	9.00	KZ3110	Receive payment from Chapter 13 Trustee; prepare letter to client transmitting same and advising re application of payment. Update accounting of debt to reflect same
EAM	Erin A. Maloney	01/13/16	B	0.20	43.00		L14314	Review file and prepare status report to client
MRPI	Megan R. Pinon	01/29/16	B	0.10	10.50	4.50	L20974	Receive and process partial payment from debtor for post-petition debt, forward to trust for processing
EAM	Erin A. Maloney	02/04/16	B	0.10	21.50		L33633	Execute trust form to deposit post-petition payment received
MRPI	Megan R. Pinon	02/16/16	B	0.20	21.00	9.00	L50029	Receive payment from Chapter 13 Trustee; prepare letter to client transmitting same and advising re application of payment. Update accounting of debt to reflect same
EAM	Erin A. Maloney	02/16/16	B	0.20	43.00		L61356	Review file and prepare status report to client
MRPI	Megan R. Pinon	02/24/16	B	0.10	10.50	4.50	L57861	Receive and process partial payments from debtor, for post-petition, update accounting of debt to reflect same. Prepare trust form for attorney signature.
MRPI	Megan R. Pinon	03/22/16	B	0.30	31.50		L89449	Prepare draft letter to client transmitting post-petition amounts collected and unused foreclosure deposit for attorney review
EAM	Erin A. Maloney	03/25/16	B	0.20	43.00		L99898	Review file and prepare status report to client
MRPI	Megan R. Pinon	03/28/16	B	0.20	21.00		L96026	Receive post-petition payment from debtor, update check transmittal to client to enclose same for attorney review.
EAM	Erin A. Maloney	03/28/16	B	0.30	64.50		L97116	Review and revise draft letter to client transmitting pre-petition amounts collected, refund of unused portion of foreclosure deposit, and post-petition payment from debtor; advise re application of same
MRPI	Megan R. Pinon	04/14/16	B	0.20	21.00	9.00	LC0094	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	04/23/16	B	0.20	43.00		LD5707	Review file and prepare status report to client
MRPI	Megan R. Pinon	05/03/16	B	0.20	21.00	9.00	LD9217	Receive debtor's post-petition payment, draft letter to client enclosing same for attorney review.
MRPI	Megan R. Pinon	05/16/16	B	0.20	21.00	9.00	LF5016	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	05/19/16	B	0.20	43.00		LH3435	Review file and prepare status report to client
EAM	Erin A. Maloney	05/23/16	B	0.20	43.00		LG6056	Review and revise draft letter to client transmitting assessment payment from debtor and advising re application of same

Matter Ledger Report

9/15/2015 to 11/13/2017

Code	Name	Init Atty	EAM	Erin A. Maloney
Client 62976	MORENO VALLEY RANCH COMMUNITY ASSOC.	Bill Atty	EAM	Erin A. Maloney
Matter 0340	Serrato Assessment Collection Acct# Mo-VAL 0830-02	Resp Atty	PER	Peter E. Racobs

Billed Time Continued

Code	Name	Date	Code	Hours	\$ Value	Task	Ref #	Text
MRPI	Megan R. Pinon	06/01/16	B	0.20	C 21.00	9.00	LI0811	Receive payment from debtor for post-petition assessment payment; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
CLK	Clerical Assistant	06/14/16	B	0.20	9.00		LK0504	(CLC) Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	06/18/16	B	0.20	43.00		LL6433	Check status of trustee payments; note interest is not being paid by trustee; instruct paralegal to call trustee re same
EAM	Erin A. Maloney	06/18/16	B	0.20	43.00	OK	LL6434	Review file and prepare status report to client
MRPI	Megan R. Pinon	06/28/16	B	0.20	21.00		LL6109	Prepare draft letter to debtor's bankruptcy attorney advising of address to send post-petition payments to for attorney review
MRPI	Megan R. Pinon	07/08/16	B	0.20	C 21.00	9.00	LM7640	Receive payment from debtor for post-petition assessment payment; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
MRPI	Megan R. Pinon	07/12/16	B	0.20	C 21.00	9.00	LN1133	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
LCK	Laurie C. Keating	07/19/16	B	0.20	30.00		LO1175	Review and revise letter to debtor's attorney re. address for sending post-petition payments
LCK	Laurie C. Keating	07/19/16	B	0.20	30.00		LO1181	Review and revise letter to client transmitting payment from debtor for post-petition assessments and advising that we have instructed the debtor to send future post-petition assessments to the Association directly.
MRPI	Megan R. Pinon	08/12/16	B	0.20	C 21.00	9.00	LR3845	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
MRPI	Megan R. Pinon	09/12/16	B	0.20	C 21.00	9.00	LV1934	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
MRPI	Megan R. Pinon	09/21/16	B	0.20	21.00		LW1786	Place telephone call to trustee's office to discuss interest on claim. Prepare memo to file
EAM	Erin A. Maloney	09/21/16	B	0.20	43.00		LW7536	Check trustee's website; determine trustee is not paying interest on claim even though court ordered same; instruct paralegal to call trustee
EAM	Erin A. Maloney	09/21/16	B	0.20	43.00		LW7537	Review file and prepare status report to client
NAL	Nicole A. Llomaslava	10/19/16	B	0.20	C 34.00	9.00	M02029	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	10/22/16	B	0.20	43.00		M09600	Review file and prepare status report to client
MRPI	Megan R. Pinon	11/14/16	B	0.20	C 21.00	9.00	M39632	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
MRPI	Megan R. Pinon	11/21/16	B	0.20	C 21.00	9.00	M45738	Receive proof of claim from Select Portfolio Servicing, upload same into system
MRPI	Megan R. Pinon	12/15/16	B	0.20	C 21.00	9.00	M75961	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	12/17/16	B	0.20	43.00	OK	M92233	Review file and prepare status report to client
MRPI	Megan R. Pinon	01/13/17	B	0.20	C 21.00	9.00	MA7842	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	01/23/17	B	0.20	43.00		MD5093	Review file and prepare status report to client
EAM	Erin A. Maloney	02/22/17	B	0.20	43.00		MH8713	Review file and prepare status report to client

# Matter Ledger Report

9/15/2015 to 11/13/2017

<b>Code</b>	<b>Name</b>	<b>Init Atty</b>	<b>EAM</b>	<b>Erin A. Maloney</b>
<b>Client</b> 62976	<b>MORENO VALLEY RANCH COMMUNITY ASSOC.</b>	<b>Bill Atty</b>	<b>EAM</b>	<b>Erin A. Maloney</b>
<b>Matter</b> 0340	<b>Serrato Assessment Collection Acct# Mo-VAL 0830-02</b>	<b>Resp Atty</b>	<b>PER</b>	<b>Peter E. Racobs</b>

## Billed Time Continued

Code	Name	Date	Code	Hours	\$ Value	Task	Ref #	Text
MRPI	Megan R. Pinon	03/15/17	B	0.20	C 21.00	9.00	MK0576	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	03/22/17	B	0.20	48.00		MM3864	Review file and prepare status report to client
MRPI	Megan R. Pinon	04/17/17	B	0.20	C 21.00	9.00	MO3374	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
MRPI	Megan R. Pinon	04/17/17	B	0.20	C 24.00	9	MO3664	Receive payment from client for debtor's post-petition debt; prepare letter to client returning same for attorney review; update accounting to reflect payment
NAL	Nicole A. Lilomaiava	04/17/17	B	0.20	C 30.00	9.00	MO3947	Review and revise letter to client transmitting post-petition assessment payment and advising re application of payment.
EAM	Erin A. Maloney	04/17/17	B	0.20	48.00		MP3032	Review file and prepare status report to client
MRPI	Megan R. Pinon	05/15/17	B	0.20	C 21.00	9.00	MS3130	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
MRPI	Megan R. Pinon	05/19/17	B	0.40	42.00		MS8931	Update accounting of debt; request and review updated accounting record from client
MRPI	Megan R. Pinon	05/19/17	B	1.00	105.00		MS8955	Prepare draft Supplemental Claim for attorney review.
EAM	Erin A. Maloney	05/23/17	B	0.20	48.00		MU3205	Review file and prepare status report to client
EAM	Erin A. Maloney	05/29/17	B	0.60	129.00		MT4732	Review and revise draft supplemental claim
EAM	Erin A. Maloney	05/30/17	B	0.10	24.00		MT8159	Electronically file supplemental claim
MRPI	Megan R. Pinon	06/13/17	B	0.20	C 24.00	9.00	1005445	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	06/21/17	B	0.20	43.00	OK	1020145	Review file and prepare status report to client
MRPI	Megan R. Pinon	07/14/17	B	0.20	C 21.00	9.00	1048348	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
NAL	Nicole A. Lilomaiava	07/19/17	B	0.30	45.00		1052767	Telephone call from debtor's attorney, Terrence Fantauzzi, discussed access to Association amenities during the pendency of debtor's chapter 13 bankruptcy.
EAM	Erin A. Maloney	07/25/17	B	0.20	48.00		1068665	Review file and prepare status report to client
EAM	Erin A. Maloney	07/26/17	B	0.30	64.50		1068078	Send email to Attorney Fantauzzi in response to his demand that privileges be reinstated
EAM	Erin A. Maloney	08/22/17	B	0.20	43.00		10A4574	Check status of bankruptcy; trustee's motion to dismiss was withdrawn
EAM	Erin A. Maloney	08/22/17	B	0.20	43.00		10A4575	Review file and prepare status report to client
MRPI	Megan R. Pinon	09/14/17	B	0.20	C 24.00	9.00	10D3704	Receive plan payment from Chapter 13 Trustee toward pre-petition debt; prepare letter to client transmitting same and advising re application of payment; update accounting to reflect payment
EAM	Erin A. Maloney	09/20/17	B	0.20	49.00		10E5431	Review file and prepare status report to client
EAM	Erin A. Maloney	09/25/17	B	1.80	367.00		10E3207	Receive and review debtor's objection to supplemental claim; research law re same; prepare response to objection
MRPI	Megan R. Pinon	09/25/17	B	0.20	24.00		10E3299	Receive debtor's objection to supplemental claim; upload same into system
MRPI	Megan R. Pinon	09/25/17	B	0.10	10.50		10E3300	Calendar attorneys appearance at hearing regarding objection to supplemental claim
EAM	Erin A. Maloney	10/16/17	B	0.20	43.00	OK	10H6497	Review file and prepare status report to client
EAM	Erin A. Maloney	10/30/17	B	1.40	301.00		10I6679	Travel to and attend Hearing on Objection to Supplemental Claim; continued to present detailed billing statements
<b>Billable</b>				<b>19.80</b>	<b>3,330.50</b>			
<b>Non-Billable</b>				<b>0.00</b>	<b>0.00</b>			
<b>Suppressable</b>				<b>0.00</b>	<b>0.00</b>			
<b>Total Billed Time</b>				<b>19.80</b>	<b>3,330.50</b>			

# Matter Ledger Report

9/15/2015 to 11/13/2017

<b>Code</b>	<b>Name</b>	<b>Init Atty</b>	<b>EAM</b>	<b>Erin A. Maloney</b>
<b>Client</b> 62976	<b>MORENO VALLEY RANCH COMMUNITY ASSOC.</b>	<b>Bill Atty</b>	<b>EAM</b>	<b>Erin A. Maloney</b>
<b>Matter</b> 0340	<b>Serrato Assessment Collection Acct# Mo-VAL 0830-02</b>	<b>Resp Atty</b>	<b>PER</b>	<b>Peter E. Racobs</b>

## Billed Expenses

Code	Description	Date	Check #	Ck. Date	\$ Value	Ref #	Text
17	Photocopies	09/30/15			17.00	KN1820	
96	Bankruptcy search/documents	09/30/15			4.00	KN2193	
INT	Interest	09/30/15			0.64	KN2401	thru 08/15/15
18	Postage	09/30/15			4.16	KN2844	
96	Bankruptcy search/documents	11/24/15			0.40	KU4841	
INT	Interest	12/31/15			1.29	KY0434	thru 11/15/15
INT	Interest	01/31/16			1.29	L22455	thru 12/15/15
18	Postage	03/31/16			0.49	LA1659	
17	Photocopies	03/31/16			2.50	LA2202	
INT	Interest	04/30/16			0.98	LD6805	thru 03/15/16
18	Postage	05/31/16			0.47	LH0718	
17	Photocopies	05/31/16			1.50	LH7973	
17	Photocopies	06/30/16			1.75	LM1061	
18	Postage	07/01/16			0.47	LM0502	
17	Photocopies	07/31/16			3.25	LP1453	
17	Photocopies	12/31/16			0.75	M93605	
17	Photocopies	03/31/17			0.75	MM2642	
17	Photocopies	04/30/17			1.00	MP7302	
18	Postage	04/30/17			0.46	MP8375	
17	Photocopies	05/31/17			18.75	MU2066	
18	Postage	05/31/17			5.70	MU3401	
18	Postage	06/30/17			5.70	1029357	
18	Postage	09/30/17			1.34	10E8540	
17	Photocopies	09/30/17			6.00	10F0708	
	Advanced				0.00		
	Non-Cash				80.62		
	<b>Total Billed Expenses</b>				<b>80.62</b>		

End of Report

### PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

6820 Indiana Avenue, Suite 140  
Riverside, CA 92506

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION OF ERIN A. MALONEY IN SUPPORT OF SUPPLEMENTAL CLAIM**

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) November 14, 2017, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Debtor's Attorney: Terrence Fantauzzi: [terrencefantauzzi@hotmail.com](mailto:terrencefantauzzi@hotmail.com)  
United States Trustee: [ustpreion16.rs.ecf@usdoj.gov](mailto:ustpreion16.rs.ecf@usdoj.gov)  
Trustee: Rod Danielson: [notice-efile@rodan13.com](mailto:notice-efile@rodan13.com)

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) November 14, 2017, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Judge: Honorable Meredith A. Jury  
United States Bankruptcy Court  
Central District of California  
3420 Twelfth Street, Suite 325 / Courtroom 301  
Riverside, CA 92501-3819

Debtor: Jorge Serrato  
25608 Sierra Cadiz Court  
Moreno Valley, CA 92551

$4 \times 4.5 = 18$   
 $9 \times 25 = 225$   
 $43 \times 11 = 473$   
 $21 \times 3 = 63$   
 $2 \frac{4}{9} = \frac{24}{9}$   
 $\frac{24}{9} = \frac{8}{3}$   
 $\frac{8}{3} = \frac{43}{43}$   
 $\frac{43}{43} = \frac{473}{473}$

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 14, 2017  
Date

Megan Pinon  
Printed Name

*M. Pinon*  
Signature

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F 9013-3.1.PROOF.SERVICE  
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